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Attorneys for AT&T Mobility LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

ADAM WEISBLATT, JOE HANNA, and  
DAVID TURK, individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

APPLE INC., AT&T MOBILITY LLC,  
and Does 1-10,

Defendants.

Case No. 5:10-cv-02553-RMW

**CLASS ACTION**

**STIPULATION FOR EXTENSION OF  
TIME TO RESPOND TO FIRST  
AMENDED COMPLAINT AND SETTING  
BRIEFING SCHEDULE; []  
ORDER**

**[N.D. CAL. CIVIL L.R. 6-1(b)]**

1 Plaintiffs Adam Weisblatt, Joe Hanna and David Turk ("Plaintiffs") and defendant AT&T  
 2 Mobility LLC ("ATTM"), by and through their respective attorneys, hereby stipulate as follows:

3 WHEREAS, on June 23, 2010, Plaintiffs filed their First Amended Complaint in the  
 4 above-captioned case;

5 WHEREAS, pursuant to June 30, 2010 and July 29, 2010 stipulations, ATTM's time to  
 6 respond to the First Amended Complaint was extended to August 16, 2010;

7 WHEREAS, on August 16, 2010, ATTM filed a Motion To Compel Arbitration And To  
 8 Dismiss Claims Or, In The Alternative, To Stay The Case ("Motion To Compel");

9 WHEREAS, the Court denied the Motion To Compel without prejudice on October 18,  
 10 2010;

11 WHEREAS, under FRCP 12(a)(4)(A), ATTM's time to respond is November 1, 2010;

12 WHEREAS, ATTM intends to file a motion to dismiss and seeks an extension of time to  
 13 do so;

14 WHEREAS, Plaintiffs and ATTM desire to agree to a briefing schedule that will permit  
 15 the parties to have additional time to prepare and file their respective briefs;

16 WHEREAS, the stipulated extension and briefing schedule will not alter the date of any  
 17 event or deadline already fixed by the Court.

18 THEREFORE, Plaintiffs and ATTM STIPULATE as follows:

19 1. ATTM's time to move to dismiss is extended up to and including November 16,  
 20 2010.

21 2. Plaintiffs' brief in opposition shall be filed no later than December 14, 2010.

22 3. ATTM's reply brief shall be filed no later than January 4, 2011.

23 4. ATTM's motion to dismiss shall be heard on January 21, 2011 at 9:00 a.m., or as  
 24 soon thereafter as may be heard.

25 5. Except as set forth above, all Local Rules shall remain in effect. Entering into this  
 26 stipulation does not constitute a waiver of any defense under Federal Rule of Civil Procedure 12.

27 IT IS SO STIPULATED.

28

1 Dated: October 27, 2010

CROWELL & MORING, LLP

2 By: /s/ M. Kay Martin

3 M. Kay Martin  
4 Attorneys for Defendants  
AT&T Mobility LLC

5 Dated: October 27, 2010

LIEFF, CABRASER, HEIMANN &  
6 BERNSTEIN, LLP

7 By: /s/ Roger Heller

8 Roger Heller  
9 Attorneys for Plaintiffs

10  
11 I, Joel D. Smith, am the ECF User whose ID and password are being used to file this  
12 Stipulation. In compliance with General Order 45, section X.B., I hereby attest that concurrence  
13 in the filing of the document has been obtained from each of the other signatories.

14 By: /s/ Joel D. Smith  
15 Joel D. Smith

**[] ORDER**

Pursuant to Stipulation, SO ORDERED.



Dated: 11/18/10

The Honorable Judge Ronald M. Whyte  
U. S. District Court